

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JORDAN HEATH,	)	
Plaintiff,	)	
	)	C.A. No. 13-273 Erie
	)	
v.	)	
	)	
C/O GEORGE EDWARD WHIPPLE, et al,	)	
Defendants.	)	

**MEMORANDUM ORDER**

This prisoner civil rights action was received by the Clerk of Court on September 9, 2013, and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates. The magistrate judge's report and recommendation, filed on October 16, 2013, recommended that Plaintiff's motion for leave to proceed in forma pauperis [ECF No. 1] be GRANTED and the Complaint be dismissed with prejudice pursuant to the screening provisions of the Prison Litigation Reform Act. Service was made on Plaintiff by mail at SCI Albion, where he is incarcerated. No objections were filed. After de novo review of the petition and documents in the case, together with the report and recommendation, the following order is entered:

AND NOW, this 16<sup>th</sup> day of December, 2013;

IT IS HEREBY ORDERED that Plaintiff's motion for leave to proceed in forma

pauperis [ECF No. 1] is GRANTED and that the Complaint is DISMISSED with prejudice pursuant to the screening provisions of the Prison Litigation Reform Act.

The report and recommendation of Magistrate Judge Baxter, dated October 16, 2013, is adopted as the opinion of the court.

/s/ Joy Flowers Conti  
JOY FLOWERS CONTI  
United States District Judge

cc: Susan Paradise Baxter  
U.S. Magistrate Judge

all parties of record \_\_\_\_\_